

# **EXHIBIT A**

STATE OF TENNESSEE 21<sup>ST</sup> JUDICIAL DISTRICT  
WILLIAMSON COUNTY, FRANKLIN, TENNESSEE 37064  
CIRCUIT COURT

COPY

DAVID JAY FLY

PLAINTIFF

422 EASTVIEW DRIVE  
CHATTANOOGA, TN 37404

VERSUS

CIVIL ACTION NO. 2013-429

ANIXTER, INC.

DEFENDANT

c/o CORPORATION SERVICE COMPANY  
2908 POSTON AVENUE  
NASHVILLE, TN 37203

SUMMONS

To the above named Defendant:

You are summoned to appear and defend a civil action (Complaint of Divorce) filed against you in Circuit Court, Williamson County, Tennessee, and your defense must be made within thirty (30) days from the date this summons is served upon you. You are further directed to file your defense with the Clerk of the Court and send a copy to the Plaintiff's attorney at the address listed below:

ATTORNEY FOR PLAINTIFF

MICHAEL M. RAULSTON (#1845) Phone No. 423-756-1233  
511 GEORGIA AVENUE  
CHATTANOOGA, TN 37403

In case of your failure to defend this action by the above date, judgment by default will be rendered against you for the relief demanded in the complaint.

ISSUED:

Aug. 26, 2013

DEBBIE McMILLAN-BARRETT

Circuit Court Clerk, Williamson County

By:

Deputy Clerk

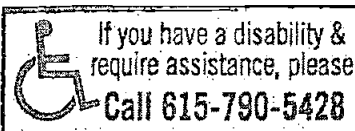
TO THE SHERIFF:

Please execute this summons and make your return hereon as provided by law.

DEBBIE McMILLAN-BARRETT

Circuit Court Clerk, Williamson County

Received this summons for service this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



SHERIFF

RETURN ON PERSONAL SERVICE OF SUMMONS

Case No. \_\_\_\_\_

I hereby certify and return, that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I served this summons together with the complaint herein as follows: \_\_\_\_\_

SHERIFF

BY: \_\_\_\_\_

I failed to serve this summons within 30 days after its issuance because: \_\_\_\_\_

Sheriff

RETURN ON SERVICE OF SUMMONS BY MAIL

I hereby certify and return, that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ I sent, postage prepaid, by registered return receipt mail or certified return receipt mail, a certified copy of the summons and a copy of the complaint in Case No. \_\_\_\_\_ to the defendant, \_\_\_\_\_. On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ I received the return receipt for said registered or certified mail, which had been signed by \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. Said return receipt is attached to this original summons and both documents are being sent herewith to the Circuit Court Clerk for filing.

SWORN TO AND SUBSCRIBED BEFORE ME ON  
THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

PLAINTIFF, PLAINTIFF'S ATTORNEY OR OTHER PERSON  
AUTHORIZED BY STATUTE TO SERVE PROCESS

\_\_\_\_\_  
NOTARY PUBLIC or \_\_\_\_\_ DEPUTY CLERK

MY COMMISSION EXPIRES: \_\_\_\_\_

TO THE DEFENDANT(S):

Tennessee law provides a four thousand dollar (\$4,000.00) Personal Property exemption from execution or seizure to satisfy a judgement. If a judgement should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; However, unless it is filed before the judgement becomes final, it will not be effective as to any execution of garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items or necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer. Pursuant to section T.C.A. 26-518-523.

ATTACH RETURN  
RECEIPT HERE

(IF APPLICABLE)

STATE OF TENNESSEE  
COUNTY OF WILLIAMSON

I, **DEBBIE McMILLAN BARRETT**, Clerk of the Circuit Court in the State and County aforesaid, do hereby certify this to be a true and correct copy of the original summons issued in this case.

DEBBIE McMILLAN BARRETT, CLERK

(To be completed only if  
copy certification required).

By: \_\_\_\_\_ D.C.

IN THE CIRCUIT COURT OF  
WILLIAMSON COUNTY, TENNESSEE  
TWENTY-FIRST JUDICIAL DISTRICT

FILED

AUG 26 2013

Debbie McMillan Barrett  
Circuit Court

DAVID JAY FLY,

Plaintiff,

v.

ANIXTER, INC.,

Defendant.

No. 2013-429  
JURY DEMAND

COMPLAINT

Plaintiff, David Jay Fly, for his complaint avers as follows:

1. Plaintiff is a citizen and resident of Chattanooga, Hamilton County, Tennessee. He resides at 422 Eastview Drive, Chattanooga, Hamilton County, Tennessee 37404. Plaintiff was employed by defendant from December of 2010 until August of 2012 as an inside sales representative.
2. Defendant is, upon information and belief, a corporation formed, organized and existing pursuant to the laws of the State of Delaware. Its principal place of business, upon information and belief, is 2301 Patriot Boulevard, Glenview, Illinois 60026. Pursuant to the Tennessee Secretary of State's Office, defendant is authorized to do business within the State of Tennessee, and its registered agent for service of process

is Corporation Service Company, 2908 Poston Avenue, Nashville, Tennessee 37203.

Defendant maintains, upon information and belief, a branch office at 500 Wilson Pike Circle, Suite 310, Brentwood, Williamson County, TN 37027.

3. This Honorable Court has personal jurisdiction over the parties in this civil action. This Honorable Court has subject matter jurisdiction over this civil action.

Venue is proper in this Honorable Court.

4. Defendant is in the business, inter alia, of selling communications and security products, electrical and electronic wire and cable, fasteners and components to customers. Defendant employed plaintiff as an inside sales representative, from December of 2010 until August 27, 2012, at its branch office in Brentwood, Williamson County, Tennessee.

5. Until approximately August 15, 2012, defendant's branch manager and employment superior to whom plaintiff reported was Anita Lewis, and Darrell Sadler was a co-worker who also was employed in the Brentwood branch office. Beginning on approximately August 15, 2012, Darrell Sadler was promoted and replaced Anita Lewis as branch manager.

6. Prior to his promotion to branch manager and while a co-worker of plaintiff (from approximately June 1, 2012 continuing until approximately August 15, 2012), Darrell Sadler repeatedly offered Xanax pills (a narcotic prescription medication) to plaintiff. On each occasion, plaintiff refused Darrell Sadler's illegal and shocking

offer. Plaintiff confronted Darrell Sadler demanding that he stop offering him Xanax pills; plaintiff complained to his employment supervisor (Anita Lewis); and sent an email to his employment superior (Anita Lewis) complaining about Darrell Sadler's actions. Plaintiff's whistle-blowing complaints were discussed with him directly by his employment supervisor (Anita Lewis), and his employment supervisor (Anita Lewis) also discussed plaintiff's complaints with other managerial employees of defendant. Instead of remedying the situation caused by Darrell Sadler's misconduct, Darrell Sadler was promoted, and shortly after his promotion, Darrell Sadler terminated plaintiff's employment on August 27, 2012.

7. The sole reason (and a fortiori a substantial motivating factor) for the termination of plaintiff's employment was his whistle-blowing concerning the illegal activities of his co-worker and later employment superior (Darrell Sadler) that violated the laws of the State of Tennessee. Defendant's actions constitute retaliatory discharge in violation of the public policy of the State of Tennessee and well-settled Tennessee statutory and common law. Defendant's reprehensible actions, furthermore, are so egregious that they evince an intentional, reckless, malicious and/or fraudulent design to subvert and violate the narcotics laws of the State of Tennessee.

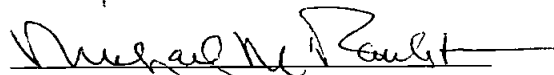
8. Plaintiff has suffered considerable damages due to defendant's retaliatory discharge and misconduct including, but not limited to, lost wages, lost future earnings, impairment of earning capacity, emotional distress and other damages. Defendant's

actions, moreover, warrant an award of punitive damages to discipline, correct and punish defendant's malicious and gross misbehavior and to deter similar misconduct in the future.

**WHEREFORE, PREMISES CONSIDERED, plaintiff demands:**

- A. A jury to try this civil action;
- B. A judgment against defendant for compensatory damages in a fair and reasonable amount to be proven at the jury trial of this civil action not to exceed Two Hundred and Fifty Thousand Dollars (\$250,000.00);
- C. A judgment against defendant for punitive damages in an appropriate amount to be proven at the jury trial of this civil action not to exceed an additional Two Hundred and Fifty Thousand Dollars (\$250,000.00);
- D. The costs of this cause; and
- E. Such further, other and general relief as may be just, proper and appropriate.

Respectfully submitted:



Michael M. Raulston (BPR #1845)  
511 Georgia Avenue, Second Floor  
Chattanooga, Tennessee 37403  
423-756-1233 (Telephone)  
423-756-1250 (Telecopier)

Attorney for Plaintiff

## Corporation Service Company ®

### NOTICE OF SERVICE OF PROCESS

**Transmittal Number:** [11553690](#)

(Click the Transmittal Number to view your SOP)

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Pursuant to client instructions, we are forwarding this summary and Notice of Service of Process.

<b>Entity:</b>	Anixter Inc.
<b>Entity I.D. Number:</b>	2368109
<b>Entity Served:</b>	Anixter, Inc.
<b>Title of Action:</b>	David Jay Fly vs. Aniter, Inc.
<b>Document(s) type:</b>	Summons/Complaint
<b>Nature of Action:</b>	Wrongful Termination
<b>Court/Agency:</b>	Williamson County Circuit Court, Tennessee
<b>Case/Reference No:</b>	2013-429
<b>Jurisdiction Served:</b>	Tennessee
<b>Date Served on CSC:</b>	08/30/2013
<b>Answer or Appearance Due:</b>	30 Days
<b>Originally Served On:</b>	CSC
<b>How Served:</b>	Personal Service



**Sender Information:**

Michael M. Raulston  
423-756-1233

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**Primary Contact:**

Deb Youtsey  
Anixter Inc

**Copy of transmittal only provided to:**

Michele Nelson  
Cathy Murnane  
Bill Shin

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Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the document(s) and taking appropriate action.

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